

## **PUBLIC HEARING – JULY 20, 2015**

Mayor Grenier opened the duly scheduled and advertised public hearing at approximately 7:42 p.m. to review the following subject matter: Resolution 2015-19 Northern Borders Grant. There being no one wishing to speak for or against the subject matter, Mayor Grenier declared the public hearing closed.

## **CITY COUNCIL MEETING – Monday, July 20, 2015**

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:43 p.m. in the City Hall Council Chambers. The pledge of allegiance to the flag preceded roll call. Present: Councilors Remillard, Otis, Morgan Allain, Gentili, Higbee, Rozek, Nelson and Theberge. Also present City Manager Wheeler, Susan Tremblay and Barbara Tetreault.

### **Minutes, Previous Meeting**

Councilor Remillard moved with a second by Councilor Otis to accept the minutes of the July 6 Regular Meeting/Work Session. So moved, the motion carried.

**Disbursements:** Disbursement Summary Draft #1745 start date 7/7/2015 end date 7/20/2015 for a total cash disbursement of \$985,207.71. Councilor Theberge moved with a second by Councilor Nelson to accept disbursement summary and pay all bills as recommended by the Committee on Accounts/Claims. So moved, the motion carried.

**PUBLIC COMMENTS** - No Comments

## **UNFINISHED BUSINESS**

1. Council Committee Reports – No Reports.
2. Resolution 2015-19 authorizing an application for a Northern Borders Regional Commission Grant in an amount up to Two Hundred Fifty Thousand Dollars (\$250,000.00). The purpose of the grant is to construct Phase One of the Riverwalk project along the Androscoggin River beginning at the Northern Forest Heritage Park and ending at the Berlin Mills Pedestrian Bridge. (tabled 7/6/2015) Resolved by the City Council of the City of Berlin as follows:

Whereas, up to Two Hundred Fifty Thousand Dollars (\$250,000.00) is available to nonprofits and municipalities in the Northern Borders Region which includes Coos County; and

Whereas, if awarded, Two Hundred Fifty Thousand Dollars (\$250,000.00) of the funds will be used for constructing Phase One of the Riverwalk project along the Androscoggin River beginning at the Northern Forest Heritage Park and ending at the Berlin Mills Pedestrian Bridge; and

Whereas, the City will be undertaking a major road reconstruction project along Route 16 in 2016; and

Whereas, the City will own the property and be able to have control over its current and future growth; and

Whereas, there have been plans for a Riverwalk in this area for several years and with the increased focus on tourism and the purchase of the property this grant offers an opportunity to begin the Riverwalk and offer better access to the river for residents and visitors; and

Whereas this project is part of the vision for the community as stated in the City's 2010 Master Plan. Now therefore, be it resolved by the City Council of the City of Berlin as Follows: That, the City Manager is authorized to apply for a Northern Borders Regional Commission grant in an amount up to Two Hundred Fifty Thousand Dollars (\$250,000.00). The purpose of the grant is to construct Phase One of the Riverwalk project along the Androscoggin River beginning at the Northern Forest Heritage Park and ending at the Berlin Mills Pedestrian Bridge and the City Manager is authorized to execute any documents which may be necessary to effectuate the Northern Borders Regional Commission grant and contract;

Be it further resolved that the City Manager is authorized to receive said grant and the grant proceeds are hereby appropriated for the purpose of the grant; and all grant proceeds shall be deposited with the City Treasurer and any additional use of these funds beyond the scope of work as listed in the application shall require prior approval of the City Council. This resolution shall be in full force and effect from and after passage.

Councilor Remillard moved with a second by Councilor Otis to remove the resolution from the table at this time. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Otis to have the resolution read a second time by title only. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Otis to have the resolution read a third time by title only. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Otis to pass the resolution. So moved, the motion carried and Mayor Grenier declared the resolution now passed.

## **NEW BUSINESS**

### **3. Northern Forest Heritage Park Purchase**

A purchase and sales agreement between The Tri-County Community Action Program (seller) and the City of Berlin (buyer) was signed on June 30, 2015 for the purchase of the Northern Forest Heritage Park in the amount of \$75,000.

Councilor Remillard moved with a second by Councilor Higbee to re-purpose \$60,703 from FY 2015 Downtown Improvements (01-480-910-0003) and \$14,297 from FY15 Segregated Funds Account for Downtown Improvements (01-495-995-0105) and to ratify the P&S agreement subject to the property description being approved by the City Attorney and the list of items to remain with the property or to remain with the current owner be approved by the City Manager to purchase the Northern Forest Heritage Park for \$75,000.

Roll Call resulted in affirmative votes of Councilors Remillard, Morgan Allain, Gentili, Higbee, Rozek, Theberge and Mayor Grenier. Councilor Otis voted in the negative and Councilor Nelson abstained from voting. Since the 2/3 majority was met, the motion carried.

### **4. City Manager's Report**

1. On July 10, 2015 the Mayor and I attended a mediation session at the Supreme Court in Concord along with Robin Frost, Gorham Town Manager and Jeff Schall, Selectman. Also at the mediation on behalf of the City and the Town were Chris Boldt of DTC and Brian Fogg from George Sansoucy Associates. In addition, members of the Great Lakes Hydro organization as well as retired Court Judge Kathleen McGuire. The mediation was unsuccessful as of the end of the day on the 10<sup>th</sup>. However, both sides agreed to continue discussing a possible settlement. As a matter of process the case will be advanced and the Supreme Court has ordered the BTLA to provide a Certified Record to the Court by September 14, 2015.
2. On July 14, 2015 the PUC issued an updated Procedural Schedule regarding divestiture of PSNH generating assets. Remaining Settling Parties Testimony was filed by the various parties by July 17, 2015 as noted. Attached for your information is the testimony filed by George Sansoucy on behalf of the City and The Town of Gorham.
3. Senator Woodburn and Agricultural Commissioner Lorraine Merrill will participate in the annual Ice Cream Tour on July 24<sup>th</sup> with a stop at the Northland Dairy Bar (see attached schedule).

Councilor Rozek moved with a second by Councilor Higbee to accept the City Manager's Report and place it on file. So moved, the motion carried.

5. Mayor's Report

Mayor Grenier thanked the Council for approving the list of projects for the use of the additional funds received from the Primex Premium Holiday that, for the record, will not affect the tax rate in September. There is definitely a significant need for infrastructure work on Cates Hill and \$65,000 will go a long way.

Councilor Rozek moved with a second by Councilor Higbee to accept the Mayor's Report and place it on file. So moved, the motion carried.

6. Public Comments – No comments

7. Council Comments

Councilor Higbee reported that the City is in the process of revising their Hazard Mitigation Plan and have two more meetings. The reason it is going so well is that participants from the Berlin Fire, Police and Water Departments, City Manager and Council are paying attention and there is good discussion on how to mitigate the plan. He gave kudos to all and said it is a pleasure to work with them.

Councilor Remillard wants the public to know why the City is purchasing the Northern Forest Heritage Park. It is to secure the growth of activities offered by the City at the park. The goal is to have the Chamber of Commerce sustain the park.

Councilor Gentility thanked everyone in the Fire Department involved for their recent award of the Safer Grant. It is awesome news and they should be proud.

8. Adjournment: There being no further business before the Mayor and Council, Councilor Rozek moved with a second by Councilor Higbee to adjourn the regular meeting. So moved, the motion carried and Mayor Grenier declared the regular meeting closed at approximately 7:58 p.m.

A True Record, Attest:  
Debra A. Patrick, CMC  
City Clerk